

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 28, 2011

5:30 P.M.

MINUTES

Present: Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: **Mayor Kasprzak**

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on April 20, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending April 27, 2011 in the amount of \$ 257,317.12 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of April 21 – April 27, 2011
- Report from the Building Inspector's Office from March 25 – April 26, 2011
- Report from the Parking Violations Bureau for March 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. **AUDIT OF CLAIMS:**

RESOLVED: That the bills Audited by the Common Council in the amount of \$1,284,699.43 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Rabideau

Councilor Jackson said it's a big number and just so people are aware two of those payments; one is property taxes collected by the City Chamberlain that we collect on behalf of the county we send \$900,000 there and we also sent \$122,000 to the City School district for delinquent school taxes. So over a million dollars of the \$1.2 million is just paying taxes that we collect for other entities.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. **PERSONS ADDRESSING COUNCIL:**

Jan Shambo spoke about her interest in having a fountain in Trinity Park she had grown up with a lovely fountain there and walked by it everyday when she walked home from school. After a couple of years she was ready to finally raise money herself and had mentioned a fountain to Peg in Community Development. Then Peg totally surprised her and called her and told her there may be room on a grant available for a fountain in Trinity Park. Peg and Ken in Community Development then worked on it and gathered all the information they needed and then towards the end of March she took it to Mayor Kasprzak to talk to him about it. We have all read the same material so she doesn't need to say anything about that and she just wanted to mention 4 or 5 brief points. From the information received from Glens Falls it appears that it could be fairly easily maintained for 6 months of the year. It would surely be a lovely addition to Trinity Park for City residents and our guests that come here. The available spot that I really think is perfect. I would hope that in the interest of downtown beautification we would not let the few days of celebration prevent us from having the fountain. It is less than 2 weeks out of the 6 months or the possible vandalism. Because look at the risk you were taking when you did the river walk and the river walk is pretty popular these days. A matching fence could be a possibility. Finally, the river walk desperately needs more room for a military plaza. We've been talking about it and we had to fill in military bricks in other places and this would be a perfect place to have a military plaza where a pattern of bricks could encircle the base of the fountain. So I hope that you get it and thank you all for your consideration.

Marti Martin spoke on behalf of the organizing committee of the Earth Day celebration. Peg McCartney and I want to thank the City Council for not only allowing us to use the facilities at the Farmers Market but also to have the services available from Mike Brodi and his crew from Public Works to help us clean up the area and get it ready for the celebration that day also for cordoning off the area where we have the celebration. This year is our 3rd year with the support of the Council and we are here to thank you for it. It was the 3rd year and best year despite the weather it was a great turnout. We will be approaching the Council for your permission to use the facilities again next year.

We are thinking the end of April to try and ward off the type of weather we experienced this year. Next year our theme will relate somehow to water we will have more information as the time comes. This year we gave out 6 recognitions to individuals in our community. Amy Ivy, as a community resource with the Clinton County Cooperative Extension thru Cornell; Beth Spaugh with Rehoboth Homestead who has been a pioneer in organic farming in the area; Jane Desotelle who farms Underwood Herbs and has been in the community for 20 to 30 years providing education and awareness to people; Dick Crawford from Morrisonville who had done a lot with stewardship with regards to the connection between the environment and supply; Frank Pabst for feeding the community through community meals held at the Trinity Church and finally Fledging Crow from Keeseville who are the newest members of the CSA movement. So once again, thanks for your support and we just wanted to let you know how much we appreciated that support and we hope that support will be continued next year.

Bill Ferris I'm in Ward 2 read and submitted information to the Council and said I'm here to see if you can eliminate the buffer zone off of Fort Brown Drive.

Councilor Calnon said your concerns are very good ones and perhaps what we should do is entertain under new business is request the Planning Board give us an opinion and we will include those kind of concerns in our message to them so we will get them to respond. I think your point is very well taken. I think that is probably the proper action to take.

Councilor Carpenter said a comment I can add. I do know a little bit about this piece of property. Listening to discussions back in the 60's and 70's. That property bordered the base property and because there was no road or anything it was City property and then the base property they built a zone in because if you look everywhere else it was a fence for the base. So they had a zone away from the fence where no one could build or put anything and that's what this property was. I ran down along the fence line and it gave them a buffer between the base and the individual property so no one could use that.

Councilor Calnon said they would refer to the Planning and Zoning Boards.

7. **OTHER ITEMS:**

A. RESOLVED: In accordance with the request therefore the Common Council approves Manager MLD to write-off unpaid final bills from February 1, 2010 to February 28, 2010 in the total amount of \$4,985.63. The percentage of write-offs for this period is .24%.

By Councilor Case; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves City Engineer to advertise for bid for Contract #2011-09 “One new 2012 tandem axle truck with 25 cubic yard rear packer.”

By Councilor Tiffer; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves City Engineer to advertise for bid for Contract #2011-10 “One new 2012 single axle truck with snow plow and multipurpose dump/spreader body.”

By Councilor Rabideau; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves City Engineer to advertise for bid for Contract #2011-11 “Ready Mix Concrete.”

By Councilor Tiffer; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: Local Law P2 of 2011 amending Chapter 270 of the City Code of the City of Plattsburgh: “Local Law imposing a 6 month moratorium on the installation of digital signs,” the entire text of which has been distributed to and read by the members of the Common Council, is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion:

Councilor Case with all due respect the Boards that are charged in researching this they’re going to try and get it 3 month but we’re passing 6 months?

Councilor Calnon said yes that’s the way it reads right now.

Councilor Jackson said we had a public hearing before the meeting and I want to thank the business people that showed up. I would like to thank the members of the Zoning Board of Appeals that showed up. I would request that you move as expeditiously on this possible and I appreciate your efforts.

Councilor Carpenter said I have actually heard a few things about this from people on the street. The more I thought about it the more I find it fascinating and interesting because the technology for signs is built stronger and stronger to distract people. That's what they are there for their job is to distract and with better technology the farther forward they go the better they become at distracting people. We don't want our drivers distracted all that much we want them to be able to see what's going on in the road. I'm very glad that someone's going to be looking at this and considering this and I hope they think about those things because it's kind of a push pull. The people who want the signs they want them to distract, the people that need to drive and see the ones that we are trying to distract its kind of against logic to distract these people. I'm kind of real interested to see where this goes.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to create capital project H5110.34 2011 Durkee Street Parking Lot Improvements to complete the item listed in the Downtown Improvements section of the 2011 Capital Expenditure Budget.

By Councilor Jackson; Seconded by Councilor Tiffer
Discussion:

Councilor Tiffer said do we know when this project is going to be started.

City Engineer Kevin Farrington said it will probably be mid summer 2011 after school is out.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to create capital project H5110.35 2011 EcoDocks Improvements to complete the item listed in the Downtown Improvements section of the 2011 Capital Expenditure Budget.

By Councilor Jackson; Seconded by Councilor Tiffer
Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves renaming the Clinton County Compost Facility to the Plattsburgh Organic Recycling Plant.

By Councilor Tiffer; Seconded by Councilor Carpenter
Discussion:

Councilor Tiffer said by changing the name we are trying to change the image of what this facility is so that people understand we are recycling organic material by making better use of what it was before. I hope the name gives a better perception of the facility.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves the inclusion of installation of a fountain in Trinity Park, in the 2011 Main Street Grant Program application.

By Councilor Case; Seconded by Councilor Tiffer
Discussion:

Councilor Tiffer said the fountain will be a center piece for a military memorial used by the River Walk committee. They have run out of room for the pavers and approached the Community Development Office with an idea. Peg and Ken worked hard to find a solution they researched and spent a large amount of time and energy to come up with a feasible proposal. We have a great opportunity to provide a necessary location for the River Walk committee. We can add and amenity to the downtown and create a more inviting and aesthetically pleasing part in the heart of our city. There are some concerns of safety and liability and maintenance. Safety and liability should be a concern but not a hindrance. This will be a shallow pool; I believe they said 5 to 7 inches. It will be in a very visible location and we also have to remember there is a river across the street which is much more dangerous and has much more liability. If liability is a concern should we fence in the river banks? Bike trails, swing sets, sidewalks are all liabilities should we stop building these because of liability? I feel that we shouldn't hinder community development and halt it due to unwarranted fear. I had a chance to speak to Josh Milton of the Department of Public Works at Glens Falls. They have a fountain similar in size to the one that's being proposed they have it at Crandall Park. He verbatim stated "the fountain is not a pain to maintain we have one worker that cleans it by skimming the leaves with a net. They do it between once and every two weeks. At the end of the summer they drain it and it takes about an hour and a half to winterize it." So I understand that there are some concerns of the burden for maintenance, however, Glens Falls doesn't seem to have a problem. They have had one instance of vandalism in 5 years.

Councilor Rabideau said I think it's a terrific thought to have a fountain in that location in a perfect world except we don't live in a perfect world. During day time I think it would be very nice and it would be attractive and it would be perfect. My concern is between 10 pm and 3 am. My concern is not only the maintenance but we have a large group of people sometimes 200, 300 downtown on weekends. Different times of the year late September also a busy time for downtown. We have a lot of overtime for the police department has to spend downtown. I think we're going to be spending a lot of overtime keeping track of the fountain also. You talk about leaves; I'm more concerned with beer cans and other things that may end up in the fountain. Yes, I'm concerned about maintenance and the fountain being destroyed and if everything was perfect I guess the fountain would be good for that location. But all you have to do is go downtown and look at how many people there are in the bar areas of downtown and surrounding those bar areas on weekends and that's where my concern is. Are we creating more of a situation that the police department is going to have to keep an eye on and what if you are making an arrest and not your not there to keep an eye on because they can't be downtown all the time if they're make 2, 3, 4 arrests on a Friday night they have to book these people then they have to go back downtown and start all over again. I see it as a concern for the police department in addition to the maintenance and the destruction that could take place.

Councilor Carpenter said I have one question. There used to be a fountain here, old timers, people that have been around for awhile would remember it. Things did happen in that fountain as things always do. I'm just wondering with this fountain if someone's over there leaving a bar and drunk and they regurgitate into the fountain, whose job will it be to clean it? Is there any plan or any thoughts about it?

Department of Public Works Superintendent said probably the public works person assigned to clean City Hall would have to go there or the guy that maintains downtown for Community Development.

Councilor Jackson said when I first heard this idea; I was opposed to it only because of my experience with fountains at Plattsburgh State. The more I thought about this I kind of like the idea to have something. You can't live in fear of something happening. I think it would be a nice addition to downtown; we've put millions of dollars in to store fronts and tried to attract business and tried to attract the right kind of element downtown. I think a fountain to sit by it could attract people downtown which is what we want them to do. So from the initial knowledge of this last week I changed my mind and I'm going to vote in favor of it.

Councilor Tiffer said I'm really glad that **Councilor Jackson** said that. We can live in fear, we can do nothing, we can always be fearful of something happening, but, there's no fountain and people are throwing up on the streets, people are urinating. The fountain will not cause this so I think it's unwarranted to say that this will happen because of the fountain, it won't. Well, I can't say that, the fountain will not be the catalyst for this it's already occurring.

Councilor Carpenter said but I can tell you that it did happen in the fountain that we had and I can tell you also that it is very hard to clean up. I was unsure how I was going to vote on the fountain but because it's going to be hooked up with military or a veteran's plaza with the river walk bricks has changed my mind and made me happy about it.

Councilor Case said I think it would just be a very nice addition to Trinity Park so I'm going to vote in favor of it.

Councilor Calnon said my concerns were the things we didn't know. The things we didn't really have a chance to dig into the fact that this has been in discussion for some time that we probably should have had information about this further in advance so some of our concerns and questions could have been addressed before this point. Among them were things like maintenance, things like liability. I did spend some time today with a multi email correspondence with our insurance company who indicated that while sure anytime you erect anything that is an additional source of liability there would be no change in premium based on adding a fountain so there is really no insurance cost at this point. The exact location has not been determined. There was some conversation the other day perhaps somewhere in the center of the park would be a good idea. We had some information from MLD about where the electrical lines are and whether that would cause movement. Those are some of the details that I think need to be put out there. But the thing I think that moves me the most on this whole issue is that I remember what City Hall Place looked like before we got in to this entire downtown restoration march we've been on for years. When we changed that we changed the perception of it, we changed the feeling of it and we then started to attract business that we have today that are very compatible, good corporate citizens, folks that really contribute to different concept of downtown. Perhaps this is one of them that we ought to consider. I went to St. Albans the other day for something and noticed they have a very much larger fountain in the center of their downtown. I just stopped and watched it for awhile, it occurs to me it would be a nice focus. My initial reaction was I'm not sure I don't want to rush to judgment but I'm attracted to the idea.

Councilor Rabideau asked if something could be made to go around it to protect it in someway.

Councilor Calnon said one of the suggestions that were made was maybe put a fence around it that matched the monument. Those kinds of details we would work out.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

Councilor Rabideau clarified his vote that even though I'm not crazy about the thought of this if we could do some preventative things to the fountain and alleviate some of the problems that I mentioned that would be great. Yes.

ACTION TAKEN: Adopted

Follow up Action: None

J. RESOLVED: In accordance with the request therefore the Common Council approves that the Mayor Pro Tem is authorized to sign and submit an application for the 2011 Main Street Grant Program.

By Councilor Case; Seconded by Councilor Tiffer

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from the Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2011-5-1 "Wooden Utility Poles." Bid Opening Date: May 31, 2011 at 11:00 am.
2. Request from Kevin Farrington City Engineer that the Mayor be authorized to sign and agreement with "Universally Accessible Treehouse Design/Build" in the amount of \$2,000 for preliminary site plan drawing/conceptual design of a handicapped accessible treehouse as an amenity to the Saranac River Trail Project.

Councilor Rabideau said I like to ask the City Engineer that didn't we receive about 2 years ago a diagram of the Universally Accessible Treehouse set up for a location that we talked about or is that a separate issue.

City Engineer Kevin Farrington said you may be thinking of the one at Wilcox Dock.

Councilor Rabideau said it may be a different location; I'll try and find it.

City Clerk Keith Herkalo said you might mean on the back of the Saranac River.

3. Request from Kevin Farrington City Engineer that the Mayor be authorized to sign Amendment No. 1 to agreement with Atlantic Testing for Contract #2011-02, "Asbestos Consulting Services."
4. Request from Irises Café & Wine Bar to renew the use of the parking spaces located directly in front of building(s) owned by the licensee, the 911 street address of which is 16-18 and 22-24 City Hall Place. The City will permit the licensee to use surplus jersey barricades, if available, and install and remove the barricades. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The effective dates will be from May 11, 2011 – November 30, 2012.
5. Request from Olive Ridley's to renew the use of the parking spaces located directly in front of building(s) owned by the licensee, the 911 street address of which is 37 Court Street. The City will permit the licensee to use surplus jersey barricades, if available, and install and remove the barricades. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The effective dates will be from May 11, 2011 – November 30, 2012.

6. Request from Mayor Kasprzak to attend the NYCOM 102nd Annual Meeting in Saratoga Springs, NY from May 24 - 26, 2011 at an estimated cost not to exceed \$1,000.

Councilor Jackson added for initial under new business:

7. Request from Councilor Jackson that the Council consider rotating the vote on a weekly basis.

10. NEW BUSINESS:

RESOLUTION the Common Council hereby refers to the Planning and Zoning Boards a request for consideration of eliminating the requirement for the buffer zone adjacent to Fort Brown Drive.

By Councilor Carpenter; Seconded by Councilor Case

Discussion:

Councilor Calnon said if you have any concerns you want to address send them and we will get them all communicated in one package.

Councilor Rabideau said he would like to see public input.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

Councilor Jackson said I sent you guys an email and I've been thinking about how we vote. And just because the wards are numbered, if the wards weren't numbered it could be the green ward, the blue ward, etc how would we know how to vote. So just because I geographically reside and represent Ward 6 I always get the last vote which I thoroughly enjoy. I think I have the best seat around the table because I can either stir it up or by the time it gets to me it doesn't matter what I do. I would like to see us start rotating the vote around the table who votes first. I had some discussions with Beth because this probably impacts her the most because she prepares the agenda and she's the one who reads our names. Basically the one that is going to be easiest for her is that the first voter changes each meeting. So week 1 Tim would be the first one to vote on all resolutions, the next weeks meeting it would go to Mark, the week after that it would go to George. Because that's the easiest thing for her to do as far as putting the agenda together its the least complicated but it's the means to the end that I'd like to see happen.

Councilor Carpenter said if you like your position of voting why do you want to change it.

Councilor Jackson said just because I think it would be interesting to get others perspectives first. When we cast a vote or have a discussion you're always the first to comment and sometimes you may comment and sometimes you don't and I think this just makes like I said we're all equal on this Council. Just because I'm Ward 6 and represent that geographic location doesn't mean I should have the last vote. There's nothing in the Charter or in the Organizational Meeting about the order of voting so do we even have to do a resolution. I'm just throwing it out there.

Councilor Calnon said you have to do something to take the temperature of the Council.

Councilor Jackson said I will put on for initial consideration that the Council consider rotating the vote on a

weekly basis.

Councilor Calnon said ok we will put that on for initial and see what happens.

Councilor Calnon said we had a pretty challenging day and certainly isn't over yet. The rains we got this morning affected us two ways; one when they hit the ground and were running off our streets and filling up our storm sewers and then 2 hours later when we started to collect the rain water that fell further up the chain the rivers are rising those kinds of things. I was down at the Marina and the lake level is at sidewalk level. I drove through Green Street which has a little bit of water on it and I was sitting in my car and started thinking I think my heads actually below the lake level so a little uncomfortable. We've actually done fairly well so far and please any department heads that want to give us an update. I appreciate all the hard work that's gone on today. When there was water on the roads they were blocked effectively, detours established. The Fire department, Building Inspectors and Public Works have all been out in the field helping people figure out what they've got to do in advance of this. The Lake will peak at record high levels it already has hit a flood record and is predicted to go a couple inches higher overnight. We are not out of the woods yet, but, I think we have did a remarkable job and responded very well. MLD shut off power to some of the areas that were inundated. Everybody worked real hard all day and have done a really good job. So far for most of the city the fact that the winds are coming out of the west is a good thing so it's not blowing waves at us. Although down at Scotion Creek they are getting some pretty good erosion. It's a dangerous situation you can see how high the rivers are and we urge people to stay away from them, we had people walking along the river edge walls which is unsafe. We had people walking on muddy banks and that's not safe, there's a tremendous amount of power out there. All of our departments have done a really good job of controlling it so far. I don't think we've had any super serious issues yet I think things are going pretty well.

11. CLOSING PUBLIC COMMENTS:

Marti Martin after being involved with the Earth Day Celebration on the 16th I was at the half marathon the next day and I noticed this last year when I was representing the Green committee. I'm wondering if the Common Council can establish a policy where when public events like the half marathon are held that recycling be a paramount issue. Because what I noticed last year is with 500 runners there were at the end of the race 500 plastic bottles that were disseminated. When I was inside where the food items were we had everything mixed together in the same container. So it afforded no opportunity for there to be any recycling. In any of these major events across the country a lot of the focus is not only having the marathons but having it in an environmentally friendly way. So I am wondering if it can be looked into to see how feasible it would be to promote an area for composting, an area for plastic bottles and cans and an area for just trash. I know that is a big thing to add on to Mike's men and that whole thing. But I think we can't one day say we are concerned about the environment and then the next day throw that whole idea out the window. So this year there were 1000 runners and I know last year at every station there were 500 plastic cups of water. I know Steve is going to try to get the donors who were supplying the marathon with cups for the water station that they go paper instead of plastic. So when the planning gets made and I don't know where that directive comes from. There should be places for people to recycle there containers so that not everything goes collectively in to one pile of trash. So I just want to present that to the Council to establish some kind of precedent or when materials go out for these events with the organizers that the organizers encourage people to follow the Councils lead with doing it in an environmentally way as possible. Or whether we actually

establish some kind of policy.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

MEETING ADJOURNED: 6:28 pm

City of Plattsburgh
Local Law No 1 of the year 2011

A local law imposing a six month Moratorium on the installation of Digital Signs.

Be it enacted by the Common Council of the City of Plattsburgh as follows

1. Purpose and Intent. New advances in sign technology have resulted in signs that emit bright light and display changing and moving images. This technology may distract motorists creating a risk of injury to other drivers and pedestrians. Such signs may be aesthetically incompatible with community development objectives to preserve the architectural character of older buildings. City Code Chapter 270 does not regulate digital signs, therefore, to prevent the sudden proliferation of such signs and to study the public safety and aesthetic impact of Digital Signs it is necessary to impose a Moratorium on their installation.
2. Definitions. "Digital Sign" means a sign illuminated by incandescent bulbs, light emitting diodes, or that uses liquid crystal display technology and is capable of changing text or images with electronic commands. "Digital Sign" includes signs that vendors may also call or describe as plasma displays or video walls
3. Digital Signs Prohibited. During the moratorium period:
 - a. No existing sign shall be replaced with a Digital Sign.
 - b. No new Digital Sign shall be installed.
 - c. No permits shall be issued for the installation of Digital Signs.
4. Penalties. A violation of this law shall constitute an offense punishable under City Code section 270-57 A.
5. Variances. A person aggrieved by the application of this law may apply for a variance pursuant to the provisions of City Code Chapter 270.
6. Moratorium Period. The prohibition on the installation of exterior Digital Signs shall remain in effect from the date this law takes effect to a date 180 days after this law takes effect, provided, that, the Common Council acting by resolution may terminate the moratorium prior to its expiration.
7. Report to Common Council. The Planning Board and the Zoning Board of Appeals, or a joint committee of such boards, shall make a written report and recommendation to the Common Council concerning advisable changes to the signage provisions of the Zoning Law within 120 days after this law takes effect.
8. This law shall take effect immediately upon filing with the Secretary of State.

Moved by:

Seconded by:

In favor:

Opposed:

revised April 11, 2011

The foregoing local law is approved this __ day of April, 2011.
